



# National Competition Policy Health and Other Amendments (Commonwealth Financial Penalties) Bill.

## Second Reading

**The Hon. HENRY TSANG** [Parliamentary Secretary] [5.13 p.m.]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

### Leave not granted.

The National Competition Policy Amendments (Commonwealth Financial Penalties) Bill was introduced in the other place on 17 February, and I refer honourable members to the Premier's second reading speech on it. The bill has since been split into two bills: the National Competition Policy Liquor Amendments (Commonwealth Financial Penalties) Bill, whose second reading speech was delivered in this place on 5 May; and this bill, the National Competition Policy Health and Other Amendments (Commonwealth Financial Penalties) Bill. The provisions of this bill relating to optometry, dentistry and farm debt mediation legislation are substantially in the same terms as in the original bill. Some additional amendments relating to pharmacy are included in schedule 4 to the bill. These amendments were inserted at the request of the National Competition Council to remove restrictions on pharmacists entering into commercial arrangements with non-pharmacists.

However, as honourable members are aware, the Prime Minister now has largely accepted our arguments for the retention of our pharmacy legislation. The Prime Minister has advised that the Commonwealth will not penalise New South Wales if we make two comparatively minor amendments to our existing legislation. These amendments will increase the maximum number of pharmacies that may be owned by a pharmacist from three to five, and permit friendly societies to own and operate up to six pharmacies.

The Government has argued against making any changes to our existing pharmacy legislation. The Prime Minister's offer, however, represents a major backdown by the Commonwealth and is an important win for the people of New South Wales. In these circumstances the Government considers that the comparatively minor amendments now required by the Commonwealth should be made in preference to risking the loss of competition payments of as much as \$10 million per year. I foreshadow that the Government will move amendments in Committee to remove schedule 4 to the bill and replace it with the comparatively minor amendments now required by the Commonwealth.

I take this opportunity to briefly outline the position on optometry. I am advised that the Prime Minister's office contacted the chief executive of the Optometrists Association and suggested that the association ask New South Wales to present a further public interest case on its behalf. Again, the Premier forwarded New South Wales' public interest case on optometry to the Prime Minister on 4 May. As with pharmacy, if the Commonwealth Government withdraws the fines and guarantees no future fines for optometry, the Government will move to delete the optometry amendments. Although the Government has done everything possible to limit the detrimental effects of the optometry provisions in this bill, it acknowledges, and will continue to listen to, the concerns of stakeholders. However, without a reversal of the Commonwealth's position on the regulation of optometry, the New South Wales Government can take only limited action. I commend the bill to the House.

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